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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,709	12/04/2001	Kumar Talluri	P/3791-3	2879

2352 7590 03/18/2005

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EXAMINER	
BENGZON, GREG C	
ART UNIT	**PAPER NUMBER**
2144	

DATE MAILED: 03/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/005,709	TALLURI ET AL.	
	Examiner	Art Unit	
	Greg Bengzon	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 December 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 March 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *May 28,2002*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This application has been examined. Claims 1- 41 are pending.

Priority

This application claims benefits of priority from Provisional Application 60251340, filed December 5, 2000.

The effective date of the claims described in this application is December 5, 2000.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on May 28, 2002 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> **The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.**

Claims 19 and 39 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to

which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 19 cites the step of 'verifying the correctness of data received from host computer. Claim 39 cites a software for 'verifying data obtained from the remote host computer'. The Applicant's specifications does not sufficiently disclose how these features are accomplished by the invention.

Even though the statute does not use the term "undue experimentation," it has been interpreted to require that the claimed invention be enabled so that any person skilled in the art can make and use the invention without undue experimentation. The test of enablement is whether one reasonably skilled in the art could make or use the invention from the disclosures in the patent coupled with information known in the art without undue experimentation.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-6, 8-12, 15, 19-25, 29-35, and 37-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Cheyer et al. (US Patent 6691151), hereinafter referred to as Cheyer.

With respect to Claim 1, Cheyer discloses a method of executing at least one native host command or application in a remote host computer over a communication link via a communication device, (Figures 3-6, Figure 11, Column 5 Lines 1-40, Column 7 Lines 40-65) the method comprising: providing a service agent computer having an interface coupled to the network to which a user has access via the communication device for receiving a customer command; receiving the customer command at the service agent computer; (Column 5 Lines 5-10) executing by the service agent computer at least one native host command or application based on the customer command in the remote host computer; and transmitting data associated with the customer command from the remote host computer to the communication device via the network. (Column 8 Lines 15-30)

With respect to Claim 2, Cheyer discloses the method as recited in claim 1 wherein the communication device of the customer comprising at least one of a PC, wireless PDA, e-mail enabled phone, SMS, WAP and Instant Messaging device, including AOL, MSM, Yahoo, ICQ, and any combination of these. (Column 7 Lines 25-40, Column 8 Lines 15-30, Abstract)

With respect to Claim 3, Cheyer discloses the method as recited in claim 1, wherein the interface of the service agent computer is coupled to the network directly. (Column 17 Lines 65, Column 18 Lines 1-10)

With respect to Claim 5, Cheyer discloses the method as recited in claim 1, further comprising the step of providing an e-mail box computer having a respective interface which is coupled to the communication device of the user via the network for receiving the customer command and further coupled to the service agent computer.(Figure 6, Item 442, Column 8 Lines 15-65)

With respect to Claim 6, Cheyer discloses the method as recited in claim 5, further comprising the step of automatically handing over a stored customer command from the e-mail box computer to the service agent computer, thereby avoiding any delays during transmission of the customer requests via the network. (Column 21 Lines 25-35, Column 22 Lines 50-65)

With respect to Claim 9, Cheyer discloses the method as recited in claim 6, wherein the e-mail box and service agent computers are located within the same firewall. (Figure 3-4, Column 6 Lines 40-65, Column 18 Lines 1-10)

With respect to Claim 10, Cheyer discloses the method as recited in claim 1, wherein the customer command comprises at least one of a request for delivering stock quotes, locating business and home addresses and telephone numbers of businesses and persons, providing driving directions, performing a health check of a machine, tracking shipments and updating weather reports, and a combination of these. (Column 25 Lines 1-5, Column 26 Lines 45-65)

With respect to Claim 11, Cheyer discloses the method as recited in claim 1, wherein the customer command can be expanded, the method further comprising the steps of preparing a short or long list of services performed by the service agent computer and e-mailing the list to the user. (Column 29 Lines 15-50)

With respect to Claim 12, Cheyer discloses the method as recited in claim 10, further comprising the step of registering users. (Figure 8, Column 18 Lines 15-40)

With respect to Claim 15, Cheyer discloses the method as recited in claim 12, further comprising the steps of allowing the registered users to customize the customer command and of storing the customized customer command as a non-public list on the service agent computer. (Column 13 Lines 15-60, Column 21 Lines 35-60)

With respect to Claim 19, Cheyer discloses the method as recited in claim 1, further comprising the step of verifying the correctness of data received from the host computer before transmitting the received information to the user. (Column 13 Lines 5-20)

With respect to Claim 20, Cheyer discloses the method as recited in claim 1, further comprising the step of determining the communication channel of the communication device and transmitting information associated with the customer command to the user, the step of determining comprising determining of the communication channel is one of an HTTP, WAP, e-mail, an IM environment. (Column 8 Lines 1-30)

With respect to Claim 21, Cheyer discloses the method as recited in claim 20, further comprising the step of determining whether the user requesting execution of the customer command is associated with a multiplicity of users having different e-mail addresses which are stored on the service agent computer, the different e-mail addresses being stored as a pre-configured e-mail list, and transmitting a copy of the received information to each e-mail address on the list . (Column 16 Lines 60-65, Column 21 Lines 5-40)

With respect to Claims 22-25, 29-35, and 37-41, the Applicant describes a system with the same limitations as the method described in Claims 1-3, 5-6, 8-12, 15, 19-21. Claims 22-25, 29-35, and 37-41 are rejected on the same basis as Claims 1-3, 5-6, 8-12, 15, 19-21.

Cheyer discloses the features of the invention as described in the Claims shown below.

22. A system for allowing a user having a communication device to execute at least one native host command or application on a remote host computer over a communication link, (Figures 3-6, Figure 11, Column 5 Lines 1-40, Column 7 Lines 40-65) the system comprising: a service agent computer having an interface coupled to the network, the service agent computer being configured so as to: receive a customer command from the communication device on the network; (Column 5 Lines 5-10) based on the received customer command execute a native host command or application on the remote host computer; and transmit data associated with the customer command to the user via the network. (Column 8 Lines 15-30)

23. The system as recited in claim 22, further comprising a e-mail box computer having an interface coupled to the network and to the service agent computer, the e-mail box

computer being configured so as to perform an operation comprising at least one of: directly receiving the customer command, storing the customer command, handing over the customer command to the remote host computer, and a combination thereof. (Figure 6, Item 442, Column 8 Lines 15-65)

24. The system as recited in claim 23, wherein the service agent and e-mail box computers are directly coupled to the network, the e-mail box computer handing over the received information to the service agent computer without substantial delay. (Column 17 Lines 65, Column 18 Lines 1-10)

25. The system as recited in claim 23, wherein the service agent and e-mail box computers are located behind the same firewall. (Figures 3-4, Column 6 Lines 40-65, Column 18 Lines 1-10)

29. The system as recited in claim 22, wherein the service agent computer has software executing thereon for at least one of obtaining data related to stock quotes, locating business and home addresses and telephone numbers of businesses and persons, providing driving directions, performing a health check of a machine, tracking shipments and updating weather reports, and a combination of these. (Column 25 Lines 1-5, Column 26 Lines 45-65)

30. The system as recited in claim 22, wherein the communication device has an e-mail

capability and is selected from a two-way pager, PDA, cell-phones, PC, laptop and a combination thereof. (Column 8 Lines 15-25)

31. The system as recited in claim 22, wherein the network is the Internet. (Column 1 Lines 50-65)

32. The system as recited in claim 22, wherein the service agent computer has software executing thereon for registering users, the system further comprising a user database storing a list of registered users and accessible by the service agent computer.

33. The system as recited in claim 32, wherein the service agent computer has software executing thereon for identifying the registered users and software for identifying at least one stored customized list of customer commands associated with the identified registered user. (Column 29 Lines 15-50)

34. The system as recited in claim 22, wherein the system further comprises a user list database storing a customizable list of users and accessible by the service agent computer upon receiving data from the remote host computer. (Figure 8 Column 18 Lines 15-40)

35. The system as recited in claim 34, wherein the service agent computer has software executing thereon for providing a copy of the received data to each of the users the

stored customized list of users, and software executing on the service agent computer for using an e-mail transport protocol to send a respective copy to each e-mail address on the stored customized list of users.(Column 11 Lines 1-35, Column 13 Lines 15-60, Column 21 Lines 35-60)

37. The system as recited in claim 22, wherein the service agent computer software executing thereon for checking the functionality of a user server coupled to the network, retrieving an e-mail stored on a private workstation associated with the registered user, and a combination thereof in response to the customer command. (Column 14 Lines 15-45)

38. The system as recited in claim 37, wherein the service agent computer has software executing thereon for sequentially checking whether the customer command has been sent from a registered user or a non-registered user, the customer command is on a private list or public list of information, and software for storing the customer command which is neither on the private list nor on the public list if the user filing the customer command is registered. (Column 11 Lines 1-45)

39. The system as recited in claim 38, wherein the service agent computer has software executing thereon for verifying data obtained form the remote host computer. (Column 6 Lines 60-65)

40. The system as recited in claim 39, wherein the service agent computer allows the obtained information to be delivered based on a type of communication channel employed by the user and comprising one of HTTP, WAP, e-mail, IM and SMS. (Column 8 Lines 1-30)

41. The system as recited in claim 23, wherein the communication device comprises one of a cell phone, PDA, pager, PC, Palm and Blackberry device. (Column 8 Lines 15-25)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> **(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.**

Claims 4, 7-8, 13-14, 16-18, 26-28, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheyer et al. (US Patent 6691151), hereinafter referred to as Cheyer , in view of Wesinger, Jr. et al. (US Patent 6804783), hereinafter referred to as Wesinger .

With respect to Claim 4, Cheyer discloses the method as recited in claim 1, wherein the interface of the service agent computer is a secure interface coupled to the network. (Column 18 Lines 1-10)

With respect to Claim 7, Cheyer substantially discloses the method as recited in claim 5, further comprising the step of periodically probing the e-mail box computer by the service agent computer. (Column 22 Lines 25-65)

With respect to Claim 8, Cheyer discloses the method as recited in claim 7, wherein an interval of probing is a user configurable parameter. (Column 22 Lines 25-65)

With respect to Claim 13, Cheyer discloses the method as recited in claim 10, further comprising the step of allowing execution of a customer command seeking confidential data from the remote host computer after verifying that the user is registered. (Column 12 Lines 45-55, Column 14 Lines 35-40)

With respect to Claim 14, Cheyer discloses the method as recited in claim 13, further comprising the step of selectively fetching and sending e-mail stored on the personal workstation to a pre-configured e-mail address of the registered users. (Column 21 Lines 5-20)

With respect to Claim 16, Cheyer discloses the method as recited in claim 1, further comprising the step of storing a public list of publicly available services, whereby the service agent computer processes the customer command as to publicly available data regardless of whether the user is registered. (Column 13 Lines 15-60,Column 21 Lines 35-60)

With respect to Claim 17, Cheyer discloses the method as recited in claim 16, further comprising the steps of determining whether the user is registered, determining whether the customer command seeks publicly available data, and determining whether the registered user has a non-public list stored on the service agent computer. (Figure 8 Column 18 Lines 15-65, Column 20 Lines 60-65)

With respect to Claim 18, Cheyer discloses the method as recited in claim 17, further comprising the step of saving the customer command of the registered user requesting data which is neither on the public list nor on the non-public list. (Column 25 Lines 40-65, Column 26 Lines 1-10)

With respect to Claim 26, Cheyer discloses the system as recited in claim 22, wherein the service agent computer probing the e-mail box computer to retrieve the stored customer command. (Column 22 Lines 25-65)

With respect to Claim 27, Cheyer discloses the system as recited in claim 26, wherein the service agent computer probes the e-mail box computer at periodic intervals, the service agent computer having software executing thereon for allowing the user to select an interval of probing. (Column 22 Lines 25-65)

With respect to Claim 28, Cheyer discloses the system as recited in claim 26, wherein the service agent computer has software executing therein for allowing the user to create a customized list of consumer commands or applications, the system further comprising a customization database coupled to the service agent computer and storing the customized list of consumer commands. (Column 13 Lines 15-60, Column 21 Lines 35-60)

With respect to Claim 36, Cheyer discloses the system as recited in claim 22, wherein the service agent computer allows the customer command to be transmitted to the remote host computer. (Column 8 Lines 1-30)

However Cheyer does not disclose any interaction between said service computer agents and remote host computers, wherein said computers are communicating, servicing requests, and exchanging data across firewalls. Cheyer does not disclose of the method wherein the service agent computer processes the customer command as to publicly available data regardless of whether the user is registered.

With respect to Claim 4, Cheyer does not disclose the method as recited in claim 1, wherein the interface of the service agent computer is a secure interface coupled to the network via a firewall.

With respect to Claim 7, Cheyer does not disclose the method as recited in claim 5, further comprising the interface of the service agent computer being coupled to the network via a firewall.

With respect to Claim 13, Cheyer does not disclose the method as recited in claim 10, the remote host computer containing the confidential data being associated with personal workstations or with a corporate database which is located inside a firewall.

With respect to Claim 16, Cheyer does not disclose the method as recited in claim 1, whereby the service agent computer processes the customer command as to publicly available data regardless of whether the user is registered.

With respect to Claim 26, Cheyer does not disclose the system as recited in claim 22, wherein the service agent computer is located behind a firewall, the service agent computer probing the e-mail box computer located outside of the firewall to retrieve the stored customer command.

With respect to Claim 36, Cheyer does not disclose the system as recited in claim 22, wherein the service agent computer allows the customer command to be transmitted behind a firewall protecting the remote host computer.

Wesinger discloses a system describing access across firewalls while providing enhanced network security and user transparency, using envoys that combine the robustness of prior-art proxies and transparency and ease-of-use of prior-art packet filters. The users in the systems need not know of the existence of the firewalls and applications work seamlessly across the firewalls. (Abstract, Figure 1, Column 6 Lines 35-65, Column 7 Lines 1-5, Column 8 Lines 15-55) Establishment of an envoy, and level of user access privileges, are subjected to a myriad of tests to qualify the user, the requested communication, or both. Wesinger discloses of detecting unprivileged users and assigning the appropriate access level to said users. (Column 16 Lines 1-25)

Cheyer and Wesinger are analogous art because they present concepts and practices regarding servicing user requests across a variety of applications without being connection-specific using agents and envoys (defined by Wesinger as an intervening program that functions as a transparent applications gateway in Column 5 Lines 35-40). It is respectfully suggested that at the time of the invention it would have been obvious to the art to combine the teachings of Wesinger into the system and method of Cheyer . Wesinger teaches that the system of Cheyer (Figures 3-4) could be protected by a multitude of firewalls (as shown by Wesinger in Figure 2) and still achieve transparency using dynamic assignment of network addresses to virtual hosts on a time-limited basis. Furthermore it would have been obvious to detect unprivileged users as taught by Wesinger , and combined with Cheyer having public command lists,

to allow the system of Cheyer to process requests by unregistered users for public commands. The suggested motivation for doing so would have been, as Wesinger suggests, to maximize availability for processing user requests via the Internet while reducing unauthorized or undesirable use of the system resources, such as email systems. (Column 1 Lines 50-65) Wesinger also suggest that it is advantageous not to combine applications in the same computing system as the firewalls, hence the applications will either be outside or inside of the firewall. (Column 3 Lines 30-50)

Therefore it would have been obvious to combine the teachings of Wesinger into the system and method of Cheyer in order to obtain the invention as described in Claims 4, 7-8, 13-14, 16-18, 26-28, and 36.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to the enclosed PTO-892 form.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Bengzon whose telephone number is (571) 272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571)272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gcb

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